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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,244	09/11/2003	Noel Woodard		5364
7590	01/12/2005		EXAMINER	
Noel Woodard P.O. Box 19646 Seattle, WA 98109			NGUYEN, PHUNG	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/660,244	WOODARD ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Phung T Nguyen	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 11 September 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-14 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____ .  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>01/07/2005</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____ .                                  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Petite (US 2001/0024163).

**Regarding claim 1:** Petite discloses system and method for accessing residential monitoring devices comprising:

- a) a smoke sensor and sensor alarm control circuit that generates alarm signals upon sensing a predetermined threshold of smoke (figures 2 and 8, paragraph 0052);
- b) a wireless telecommunications transceiver module that stores and transmits predetermined emergency identification data upon receiving said alarm signals from said sensor alarm control circuit (paragraph 0067);
- c) a power source that supplies electrical power to said Combination Smoke Alarm and Wireless Location Device (paragraph 0048) ;
- d) an audible alarm that generates a high decibel sound upon receiving said alarm signals from said sensor alarm control circuit (paragraph 0050).

**Regarding claim 2:** Petite discloses Wireless telecommunication location system that receives, processes, said predetermined emergency identification data from said wireless

telecommunications transceiver module, and determines the geographic location of said Combination Smoke Alarm and Wireless Location Device (paragraph 0067).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 4, 6, 9-12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petite (US 2001/0024163) in view of Layton et al. (U.S. Pat. 6,829,478).

**Regarding claim 3:** Petite discloses a Public Safety Answering Point that receives said processed predetermined emergency identification and location data (paragraph 0008) but does not specifically teach the claimed dispatches emergency response resources to the geographic location of said Combination Smoke Alarm and Wireless Location Device. However, Layton et al. disclose information management network for automated delivery of alarm notifications and other information which comprises dispatching emergency response resources to the geographic location of said Combination Smoke Alarm and Wireless Location Device (fig. 2, col. 7, lines 43-47). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teaching of Layton et al. in the system of Petite because they both teach a system for monitoring premises security and other conditions. It is seen that the teaching of dispatching emergency response resources of Layton et al. would provide a comprehensive monitoring system.

**Regarding claim 4:** All the claimed subject matter is already discussed in respect to claims 1-3 above.

**Regarding claim 6:** Petite discloses wireless local area network transceiver module means interfaced with said sensor alarm control circuit, for storing, transmitting, and receiving encoded activation signals from a plurality of Combination Smoke Alarm and Wireless Location Devices (paragraph 0009).

**Regarding claim 9:** Petite discloses wherein said electrical power source (paragraphs 0049 and 0058).

**Regarding claim 10:** Petite discloses alarm disable button means for temporarily disabling said sensor alarm control circuit and said alarm signals (paragraph 0061).

**Regarding claim 11:** Layton et al. disclose temporarily delaying the alarm signals from the sensor alarm control circuit (col. 8, lines 37-61).

**Regarding claim 12:** All the claimed subject matter is already discussed in respect to claims 1-3 above.

**Regarding claim 14:** Layton et al. disclose the step of equipping said emergency response resources with mobile wireless communication and computing device means configured to directly receive from said wireless telecommunication location system said processed emergency identification and location data wherein said emergency response resources may directly respond to the geographic location of said smoke alarm (fig. 1, col. 7, lines 19-27).

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5. Claims 5, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petite (US 2001/0024163) in view of Layton et al. (U.S. Pat. 6,829,478) and further in view of Petite et al. (U.S. Pat. 6,437,692).

**Regarding claim 5:** Petite and Layton et al. do not teach Global Positioning System (GPS) receiver module means interfaced with said wireless telecommunication transceiver module, wherein augmented location determination is provided. However, the use of the GPS receiver is old and well known in the art as taught by Petite et al. (fig. 3E, col.10, lines 54-60). Therefore, it would have been obvious to the skilled artisan to utilize the technique of Petite et al. in the system of the combination in order to determine the geographic location of the monitoring device.

**Regarding claim 13:** Refer to claim 5 above.

6. Claims 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petite (US 2001/0024163) in view of Layton et al. (U.S. Pat. 6,829,478) and further in view of Lamb (U.S. Pat. 6,329,904).

**Regarding claim 7:** Petite discloses a visual alarm (paragraph 0050). Petite and Layton et al. do not teach strobe light as claimed. However, Lamb discloses apparatus and method for providing weather and other alerts comprising the high-intensity strobe light to produce flashing, bright light (col. 5, lines 15-16). Therefore, it would have been obvious to the skilled artisan to employ the conventional strobe light of Lamb in the system of the combination in order to provide a greater illumination.

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**Regarding claim 8:** Lamb discloses the signal strength indicator 37 (fig. 1, col. 7, lines 42-51).

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Kim [U.S. Pat. 5,949,332] discloses fire alarm radio transmitter and receiver set.
- b. Masone et al. [U.S. Pat. 6,121,885] disclose combination smoke detector and severe weather warning device.
- c. Goetz [U.S.Pat. 6,380,860] discloses portable wireless cellular fire alarm system apparatus and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung T Nguyen whose telephone number is 571-272-2968. The examiner can normally be reached on 8:00am-5:30pm Mon thru. Friday, with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Phung Nguyen  
  
Date: January 7, 2005